

## Special points of interest:

- FY 05 Grant Funding Announced
- Federal Air Rules for Reservations Moving Toward Finalization

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## Air Quality In Indian Country: A Major Focus of OFFICE OF AIR, WASTE AND TOXICS

**Clean Air Act (CAA)** implementation on Indian Reservations continues to be a major emphasis of Region 10. With the planning for implementation of the Federal Air Rules for Reservations (FARR) and the assistance going into building tribal capacity to manage air quality on reservations, tribal air work has been sub-

stantially "mainstreamed" in Region 10. Four project officers are now responsible for grants to tribes for ambient air quality projects, while another handles two grants that support indoor air quality assistance to tribes.

Preparation for implementation of the FARR is

the focus of a team comprised of staff involved in planning, monitoring, permitting, data management, and enforcement. These rules that fill the gap in regulatory responsibilities that has existed within reservation boundaries is equivalent to EPA taking on the role

*(Continued on page 3)*

## FY05 Tribal Air Grant Funding Announced

In 2004 CAA tribal grants requests significantly exceeded Region 10's allocation. Some tribal applicants were able to obtain funding from the Indian General Assistance Program (IGAP) for initial assessment of their air quality. Others who could not be funded took advantage of

training opportunities to help increase their understanding of air quality issues.

The Region expects the applications for CAA grants to continue to be quite competitive. The overriding factors in the selection of proposals for

funding will be based on environmental, cultural and public health impacts from air pollution, along with capability to achieve environmental results that address the need.

As in prior years the application process will

*(Continued on page 8)*

## Treatment As State: CAA Eligibility Approved for 4 Tribes

During 2004 four Region 10 tribes had their eligibility approved by EPA to be "treated as in the state manner as a state" (TAS) for Clean Air Act (CAA) section 105 grants. The Colville, Puyallup, Swinomish, and the Tulalip tribes established eligibility under CAA Section 105. In addition, the Puyallup Tribe established eligibility to be treated as an "affected state" under the

provisions of Part 71, thereby allowing them to comment as such on Title V permits for major air pollution point sources in their area.

TAS eligibility determinations from two other tribes, Umatilla and Quinalt, are now pending. This CAA process allows EPA, upon application by a tribe and adequate evidence to make a determination of eligibility

### Inside this issue:

Air Permitting on Reservations: Current actions	2
Indoor Air Quality Initiatives	2
Squamish West Basin Inspector Training	3
National Tribal Air Assoc	4
West Coast Diesel Emissions Reduction Collaborative	5
Air Monitoring on Reservations	6
Federal Air Rules for Reservations	8

*(Continued on page 2)*

## Treatment as State cont.

(Continued from page 1)

for a tribe to take on responsibility for, or delegation of, severable section of the CAA. The procedures that apply to this process were established in 1998 under the Tribal Authority Rule. (40 CFR, Part 49).

Establishing eligibility for CAA 105 grant funding means that these tribes may compete for grants as an ongoing "air quality program for the prevention and control of air pollution or implementation of the National

Ambient Air Quality Standards" (NAAQS), rather than only for CAA 103 funded project grants for assessment and investigation of the causes and prevention of air pollution.

Although eligibility to CAA 105 funding does not guarantee a particular level of funding, ongoing grant support at some level is anticipated. This funding is from the same allocation used to support CAA Section 103 grants, and award criteria are similarly based on the air quality needs and potential environmental results from the

funding.

Until this year the **Shoshone Bannock** was the only Region 10 tribe approved for CAA 105 funding. All other grants awarded to tribes have been under CAA Section 103 for assessments and investigations, except for the Direct Implementation Tribal Cooperative Agreement (DITCA) that was first awarded to the **Nez Perce** for helping EPA with agricultural smoke management activities in 2002.

## Air Permitting in Indian Country: Current Actions

### Wanapa Energy Center -

Diamond Wanapa I, L.P. and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) entered into an agreement to develop and construct a gas-fired combined cycle combustion turbine electric generating facility. The agreement was made in conjunction with the City of Hermiston, the City of Eugene acting through the

Eugene Water & Electric Board, and the Port of Umatilla. The project is to be constructed off the reservation on land held in trust for the CTUIR along the Columbia River near Hermiston, Oregon.

On August 27, 2003, EPA determined that the PSD permit application for the 1200 MW project was complete. On February 5,

2004, EPA hosted a public meeting in Hermiston to discuss the project and its air quality impacts along with the PSD permitting process. EPA continues to work cooperatively with Diamond Generating and the CTUIR in drafting a PSD permit. EPA anticipates providing a draft permit for public comment late this summer.

(Continued on page 4)

## Indoor Air Quality: New Collaborative Approaches

Region 10 continues to support efforts to evaluate and develop strategies to address tribal indoor air quality problems, particularly in a collaborative way that will lead to long term solutions.

Through a CAA 103 project grant the Shoalwater Bay Tribe has facilitated the creation of a group of tribes to work together on IAQ issues. Participants include housing, health and air staff from **Makah, Suquamish, Lower**

**Elwah, Jamestown S'Klallam, and Swinomish** Tribes. Several other tribes have recently joined this effort, called the **Northwest Coastal Tribal IAQ Collaborative**. For information on how to participate contact Mike Shultz at (360/267-3101).

The Tribal group has been assisted by Rich Prill, Indoor Air Quality expert at Washington State University. WSU has been again

awarded EPA grant funding to assist Region 10 tribes with indoor air assessments and outreach on reservations. He is available to put on training for tribal staff and communities, do assessments of problem conditions and loan testing equipment to tribes. Interested tribal air and housing personnel should contact him at 509-477-6701 or prillr@energy.wsu.edu for more information.

(Continued on page 3)

EPA hosted a public meeting in Hermiston to discuss the proposed Wanapa Energy Center.

## Air Quality in Region 10 Indian Country cont.

(Continued from page 1)

of a local air pollution control agency.

**Alaska Tribes:** Another initiative in OAWT is developing an Alaska Tribal Air Strategy in collaboration between Alaskan tribes. Alaska Dept of Environmental Conservation and EPA that takes into account the unique characteristics of Alaska tribes and air quality issues in rural Alaska.

**EPA Reg. 10 Reorganization:** As a result of the recent reorganization of the EPA Region 10 Offices, the former Office of Air Quality is now part of the new Office of Air Waste and Toxics (OAWT), thus,

now including programs formerly in the Office of Waste and Chemical Management. Heading OAWT are Rick Albright, Director, and Jan Hastings, Associate Director. Mahbubul Islam, is Manager of the State and Tribal Air Planning Unit, and Jeff Kenknight, is Manager of the Federal and Delegated Air Programs Unit. Betty Wiese Manager of the Air Enforcement Unit is managing enforcement for both the Air and RCRA programs in the new Office of Compliance and Enforcement. Staff from all three units with air responsibilities

continue to play integral roles in implementing the CAA on Region 10 reservations. New staff have also been added, including three new Senior Environmental Employees: **Chuck Flood**, **Bill Todd**, and **John Eichelberger**. They will assist EPA with implementation of the *Federal Air Rules for Reservations* upon its finalization, and share responsibilities with **SEE Jay Hiram**, on responding to outdoor burning complaints on reservations.

## Indoor Air: National Meeting Held in Seattle

(Continued from page 2)

This August, EPA Indoor Environments Division (IED) sponsored a stakeholders workshop in Seattle to identify specific issues related to indoor cooking and heating in tribal homes, as part of an international initiative indoor air. **Tom Kelly** the new Di-

rector of IED was in attendance, as well as representatives from **Swinomish**, **Kootenai**, **Muscogee**, **Mni Sose** Intertribal Coalition, **Navajo**, Inter-Tribal Council of Arizona, **Shoalwater Bay**, **Lummi**, **Colville**, **Makah**, and **Samish** tribes,

along others from universities, agencies, and non-profits. The conference was facilitated by Portage Environmental and the Institute of Tribal Environmental Professionals, with assistance from staff from several Region 10 tribes.

## Basic Inspector Training at Suquamish

The **Suquamish** Tribe and EPA Region 10 presented a 3 day training session for the 24-hour *Basic Inspector Training* certification at the **Suquamish** Tribe's Conference Center on August 17, through August 19, 2004. In this training, tribes learned how they take on environmental inspections within the boundaries of their reservation and their U&A. In 2003 the

**Suquamish** Tribe received a grant from EPA to help tribes obtain the necessary training to ensure that tribal participants have a working knowledge of the regulatory requirements, inspection methodology and health and safety measures associated with environmental compliance inspections.

This class was the second class put on by the Tribe this past year. The first

class, "Hazardous Materials Incident Response Operations," was held in March 2004. Both classes were well attended with representatives from **Chehalis**, **Cowlitz**, **Lummi**, **Makah**, **Nez Perce**, **Puyallup**, **Quinault**, **Snohomish**, **Spokane**, and **Suquamish**, as well as staff from EPA and state agencies. Another class is scheduled for this coming winter.

Stakeholders  
workshop on Indoor  
Air Quality held in  
Seattle this August.



## Air Permitting in Indian Country cont.

(Continued from page 2)

### Portable Rock Crushing at Northern Quest Casino

On June 10, 2004, Rockwall requested approval to crush rock at the Northern Quest Casino in Airway Heights, Washington on land held in trust by the United States Government for the benefit of the **Kalispel** Tribe of Indians. On June 25, EPA determined that the portable rock crushing plant is required to obtain a PSD air quality construction permit prior to construction given that the plant is a major source of particulate matter in the absence of federally enforceable emission limitations. Rockwall, however, may avoid the PSD permit process if it can establish itself as a minor source. In order for this to occur, Rockwall must obtain from EPA a Part 71 operating permit with enforceable conditions limiting its potential to emit any regulated pollutant to below 250 TPY.

**JELD-WEN** - On April 2, 2003, JELD-WEN requested a PSD applicability determination for a proposed blowline

blending project at its door skin manufacturing facility in White Swan, Washington on the **Yakama** Indian Reservation. The facility has the ability to emit greater than 250 TPY of PM, and thus is an existing major source for purposes of both the PSD and Part 71 permit programs. On October 16, 2003, EPA determined that the project may result in a significant (>40 TPY) VOC emissions increase, and thus is required to undergo PSD review. Alternatively, JELD-WEN may avoid PSD review if improved emission estimates are developed and submitted to EPA indicating that the project will result in a less than significant emissions increase. The project may also avoid PSD review if JELD-WEN first obtains a Part 71 operating permit establishing the facility as a minor source for purposes of PSD. A Part 71 operating permit has not yet been issued to the facility.

**FMC** - EPA is a member of Governor Kempthorne's Idaho Optimum Initiative (IOI), a

panel dedicated to the redevelopment of the former FMC Corporation elemental phosphorus manufacturing facility near Pocatello on the **Shoshone-Bannock** Tribe's Fort Hall Indian Reservation. On September 23, 2003, EPA awarded a grant to the IOI in the amount of \$38,000, in part to develop of a stakeholder involvement website. A segment of the website lays out the EPA regulatory roadmap, including Clean Air Act permitting obligations, as presented by EPA staff at [http://www.ioi-online.org/rd\\_map\\_pg2.htm#Clean\\_Air\\_Act\\_CAA](http://www.ioi-online.org/rd_map_pg2.htm#Clean_Air_Act_CAA).



Region 10 tribal staff make presentations at National Tribal Air Association meeting.

## National Tribal Air Assn: General 2004 Meeting

The National Tribal Air Institute held a general meeting in Palm Springs, CA the first week of October. Presentations on a variety of policy and air quality issues were included. EPA staff described the planning under way for the new General NSR FIP and the implementation process for the new PM 2.5 and Ozone standards.

Tribal representatives described the types of air qual-

ity issues they have been addressing and challenges encountered. Jim Woods, Makah Tribe, Region 10 Representative to the NTAA, facilitated a session on Indoor Air Quality that included a presentation by Tony Basabe, Swinomish Tribe.

Also in attendance from Region 10 were staff from the Colville Tribe, the Snoqualmie Tribe, and Alaskan

tribal organizations. Several of the EPA Tribal Air Coordinators attended, including Darrel Harmon, Julie McClintock, Doug McDaniel, Faye Blondin, and Mary Ma nous.

Tribes interested in joining the NTAA or wishing additional information should go to the NTAA website at <http://www.ntec.org/NTAC/docs.html>.

## West Coast Diesel Emissions Reduction Collaborative

**EPA Region 10 would like to inform our Tribal partners about a new collaborative that is forming for funding and supporting projects that reduce diesel emission along the west coast.** The west coast, like other regions across the country, suffers from high concentrations of diesel exhaust, which exacerbates and possibly causes respiratory and cardiovascular illness and premature deaths.

The **West Coast Diesel Emissions Reductions Collaborative (Collaborative)** so far includes federal, state, local, non-profit and private sector partners, from Alaska, Oregon, Washington and California, and Canada. Like all of EPA's collaborative partnerships, we wish to welcome tribes in, and encourage them to participate at a level of involvement that is productive and fruitful.

The primary focus of the **Collaborative** at this time is to secure or leverage grant monies that can be used for diesel emission reduction projects. Although the **Collaborative** is currently attempting to fund a few large, region-wide pro-

jects, at this point in time the **Collaborative** does not have generally available funds. Hopefully, funds for smaller diesel emission reduction projects will become available in 2006-2007. Although a grant or loan program is not yet available, we wish to tell our tribal partners a little bit more about the **Collaborative** and our vision for it.

The **Collaborative** would create additional incentives for early application of federal and state on-road and non-road diesel engine and fuel standards and greater participation in voluntary diesel mitigation programs.

In addition, the **Collaborative** would apply market-based incentives, innovative technologies and collaborative approaches to reduce air pollution – nitrogen oxides, sulfur dioxide and diesel particulate matter – from diesel sources such as ships, railroads, trucks, buses, and construction and agricultural equipment.

Lastly, the **Collaborative** would support on-the-

ground mobile and mobile and stationary diesel engine retrofits, rebuilds and replacements, anti-idling measures, cleaner fueling infrastructure projects and other activities that reduce emissions from diesel sources by leveraging existing programs and funding this year and next year, and working toward the creation of a permanent **West Coast Diesel Emissions Reductions Fund (Fund)** in 2006-2007.

Needless to say, we will keep our Tribal partners informed on the progress of the **Collaborative**. For questions about the **Collaborative** in Region 10, contact **Peter Murchie (503-326-6554)**. For information on existing EPA grant programs targeted at diesel emission reduction projects for school buses or other transit fleets, call **Wayne Elson (206-553-1463)**. For information on general tribal air program issues contact **Mary Manous (206-553-1059)**, and for information on air toxics contact **Lisa McArthur (206-553-1814)**.

West Coast Diesel Collaborative is a partnership effort of federal, state, local, non-profit and private sectors that welcomes tribal participation.

## Tool for Tribal Air Grants: "Menu of Options"

EPA Office of Air and Radiation has developed a "Menu of Options" tool to assist tribal CAA grant applicants in developing work plan proposals. The menus are designed to support better grant management by grantees and EPA for environmental results. It provides a series of menus from which a tribal applicant can select one or more that fit the needs of their reservation and program

for which they seek funding. The lay out of each menu includes the overall objective, activities or tasks, deliverables or outputs, and nationally reportable outcomes; all critical elements to an effective work plan. An applicant can then adapt a selected menu, as needed, to their project.

A prototype was piloted last year in Regions 5 and 10

with positive response. Jeff Holmstead signed off on the Framework September 15, 2004. EPA anticipates that the Menu of Options will be revised as needed each year and welcomes input from tribes on how it can be improved. The Menu of Options can be accessed from the Tribal Air Webpage at: <http://www.epa.gov/air/tribal/announce.html>



## Air Monitoring on Reservations

Tribes have continued to build their capacity for collecting and analyzing air quality data on reservations in Region 10. With the assistance of the Tribal Air Monitoring Support Center, jointly sponsored by EPA-Las Vegas Labs and the Institute for Tribal Environmental Professionals (ITEP) at Northern Arizona University the tribal air staff have conducted saturation studies with mini-vol PM 10 and 2.5 monitors, operated FRM and continuous PM 2.5 and PM 10 monitors, as well as a couple ozone, NOx and SOx monitors. The value of using a continuous monitor for PM sampling has led to more tribes using these rather than FRM filter-based monitors, when it is clear that the air pollutant levels will not reach close to non-attainment levels under the National Ambient Air Monitoring



PM 10 monitor Bethel, AK

Standards (NAAQS).

Chris Hall, EPA's Office of Environmental Assessment, 206/553-0521, has been providing assistance to ensure that the data collection is conducted pursuant to an EPA approved Quality Assurance Project Plan. Keith Rose, (206/553-1949) is available to provide technical guidance on appropriate monitor selection and siting. As several of the tribes have reached the stage of submitting their data to the AIRS/AQS system, Bill Puckett has provided essential guidance and support on this process, which will lead to tribal

air being included in EPA's air data base for use in policy development and decision making on air quality management...

A Region 10 grant to NAU-ITEP is funding the refurbishing and loan of mini-vol monitors from tribes that have completed their studies to new tribes. This same mechanism for "recycling" of monitoring equipment from one tribe another after the completion of the particular grant-funded study may be extended to other monitoring equipment, such as FRM and continuous monitors, over the next year. This is an effective way to help stretch resources so that more tribes are able to assess their air quality. Any tribe with monitoring equipment available for transfer to another tribe should contact Keith Rose at [rose.keith@epa.gov](mailto:rose.keith@epa.gov).

The innovative effort represented by the Region 10 FIP known as the "FARR" is nearly ready for promulgation.

## Federal Air Rules for Reservations: *Preparation for Implementation Underway*

**While several EPA Region 10 staff are working hard to shepherd the FARR through promulgation, others are planning for the implementation effort required once the rules are effective.** We have drafted a strategy which outlines major implementation milestones over the next two years. The implementation work includes significant effort in the areas of outreach and communication, compliance and enforce-

ment, data tracking and analysis, evaluating air quality on and near reservations, and delegation of administrative authority to tribes. Following are some implementation details:

Brochures, fact sheets, and FAQs that provide both general information and in-depth explanations of specific rules will be available in print and on a FARR website.

Enforcement and com-

pliance assistance will include EPA efforts to evaluate and enforce compliance as well as strategies to work with tribes and local fire departments to respond to outdoor burning complaints.

EPA is preparing to track and analyze data to be submitted by sources that will be required to register under the FARR.

*(Continued on page 7)*

## Federal Air Rules for Reservations

(Continued from page 6)

The burn ban strategy team is working with meteorologists, partnering tribes, air agencies, and the media to make burn ban determinations and share the news quickly on the 39 reservations where the FARR applies.

EPA is developing a draft delegation agreement to guide delegations of authority for the administrative aspects of the FARR to interested tribes.

On the Nez Perce and Umatilla reservations, where additional rules for burn permit programs will be put in place, EPA will be working with the tribes to develop the programs and plan for rule specific out-

reach and education.

EPA will work with tribes to provide training on the FARR for tribal staff, and public education about the rules and the health effects of air pollution. EPA is partnering with many entities to use our internal resources wisely and share resources with others to implement the FARR to the greatest extent possible in the coming year. We would like to invite interested tribal members and reservations residents to contact us if they would like more information about how we can work together to prepare materials or to implement the FARR on reserva-

## Reg 10: PM 2.5 Attainment Designations

EPA has received recommendations from States and Tribes on PM<sub>2.5</sub> designation status. EPA intends to publish its final designations, after consulting with States and Tribes, in November 2004. It is EPA's intent to find that all states and tribal reservations in Region 10 are in attainment with the PM<sub>2.5</sub> standards. The PM<sub>2.5</sub> standards will be formally issued in a rule to be finalized in 2005.

There unique challenges of air quality issues in rural Alaska require the collaborative effort of EPA, Alaska DEC and tribes.

## Alaska Tribal Air Activities

EPA is working with Alaskan Tribes and Alaska Department of Environmental Quality (ADEC) on a collaboratively to assess air quality in native Alaskan villages. Two villages will conduct pilot PM<sub>10</sub> monitoring and assessment projects in 2005 and 2006.

These projects will help establish a baseline of air quality in these villages and develop tribal capability to collect quality-assured air monitoring data. EPA, ADEC, Alaskan tribes, and the Western Regional Air Partnership (WRAP) Alaska Coordinator are involved in conducting emission inventories of air pollution sources in rural villages.

These emission inventories, combined with information on exposure to air pollution and health effects due to air pollution, will help EPA, Alaska and tribes to identify the sources of pollution and potential means to mitigate them.

Many Alaskan Native Villages and tribes are becoming increasingly interested in learning about air quality issues that may exist in their communities and means for mitigation. To build their capacity with regard to air quality Region 10 has funded the *Institute for Tribal Environmental Professionals* to put on workshops for Alaskan tribes targeted initially to the air topics the tribes identified as priorities at the 2003

Alaskan Forum on the Environment. These included *Indoor Air Quality, Education and Outreach, and Introduction to the Clean Air Act.*

Baseline monitoring for PM<sub>10</sub> has previously been initiated in some villages through IGAP or BIA grants with the assistance of loaned monitors from ADEC. The focus of these efforts was to determine the impact of road dust on air quality. The Western Regional Air Partnership (WRAP) has also contracted to have emissions inventories completed in 12 to 15 rural communities over the next few months. ITEP will also participate in these efforts through future workshops in Alaska on conducting emissions inventories.



We're on the Region 10  
EPA - Air Website

*Working to Protect  
Air Quality in  
Indian Country*

*(Continued from page 1)*

consist of two stages. The deadlines for initial proposals to be submitted for funding consideration will be February 9, 2005.

After evaluation of the proposals according to the solicitation criteria, those applicants that submitted proposals selected will be notified by March 25, 2005. They may submit a formal application for the final funding consideration process up through the deadline, May 18, 2005.

While the exact amount of funding for these grants is not yet known, it is estimated that Region 10's allocation may be down by as much as 20% from 2004.

Tribes who wish to do in-

tial baseline assessments of their air quality may seek funding through the IGAP, designed for tribes to build their infrastructure capacity and understanding of what environmental priorities exist within their communities.

For information on the IGAP Program go to the EPA Tribal Office website at: <http://yosemite.epa.gov/r10/tribal.NSF>

For the solicitation notice and other information on the Region 10 Tribal Air Program, click on Air, then Tribal, at <http://www.epa.gov/r10/airtb/>

For information on the new tribal air workplan development guidance, see "Menu of Options" on page 5.

### Region 10 Contacts:

Air Toxics: Lisa McArthur	206/553-1814
Monitoring: Keith Rose	206/553-1949
Quality Assurance: Chris Hall	
	206/553-0521
Indoor Air & Radon: Davis Zhen	
	206/553-7660
Air Permits: Dan Meyer	206/553-1814
Title V Permits: Doug Hardesty	
	208/378-5759
Enforcement: Don Dossett	206/553-8257
Tribal: Mary Manous	206/553-1059
Tribal Grants: Diana Boquist	206/553-1586
Idaho Grants: Doug Cole	206/378-5764
Mobile Sources: Wayne Elson	
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FARR: Anne Dalrymple	206/553-6313
Emissions Inventories: Madonna Narvaez	
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